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SPEECH

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OF

MR. WICK, OF INDIANA,

ON THE

OREGON QUESTION.

DELIVERED

IN THE HOUSE OF REPRESENTATIVES,

APRIL 16, 1846.

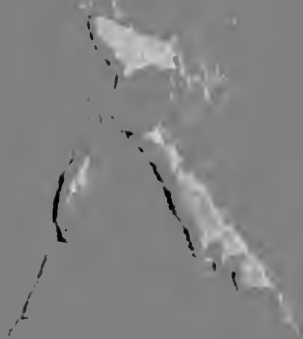
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## S P E E C H .

*In the House of Representatives, April 16, 1846—*  
On the bill to provide for the protection of the rights of American settlers in the Oregon territory.

The House being in Committee of the Whole on the state of the Union,

Mr. WICK addressed the committee as follows:

Mr. CHAIRMAN: When, on a former occasion, I addressed the Committee of the Whole House on the state of the Union upon the notice resolutions, I declared it to be my purpose to speak, not "to the country," as is the custom here, but to the House, and to the House only. On this occasion I would willingly speak to the House, if the House were here; but as it (the House) is not here, but has gone to the other hall to be "in at the death"—to witness the falling of the curtain at the close of the notice drama enacted there—I am not so certain but that I will, for once, follow the fashion, and speak "to the country," from the hall of legislation. I am the more inclined to take this course, because, upon the occasion to which I have alluded, I avoided the discussion of certain topics of a delicate nature, concerning which I would have been glad to have spoken the voice of those I represent. I allude, sir, to topics involving our title to or in Oregon, the course of diplomacy pursued, and proper yet to be pursued, in reference to the recognition thereof by the President, and the natural results of the legislation recommended by the Executive. I thought then that it was in bad taste to discuss those topics here, or in the other hall, except in secret session, upon the consideration of a treaty; and I have not changed my opinion. But, sir, since then these delicate subjects have been rudely brought into the halls of Congress, and literally tomahawked into shreds. This nation has not a single diplomatic secret which imprudence *here* could disclose; and the rudest efforts have been unsuccessfully made to drag forth and expose the opinions and intentions of the Executive.

Those opinions and intentions have been guessed at or inferred; every gentleman guessing or inferring to suit himself; and the result of those guesses or inferences have been openly proclaimed in the face of the country and the world. Sir, so far as lay in the power of members of Congress, the most delicate matters of national interest have been placarded upon the walls, and a gaping world has looked on in wonder at the indiscretion. Subjects have been openly heralded which the interests of the country require should be left in hands where they could be deli-

cately and shrewdly managed—in the hands to which the constitution has assigned them—I mean the treaty-making power—the President and the Senate, in secret session. Our title to Oregon has been lugged in, by the head and shoulders, to be questioned or depreciated, as might suit the taste, opinions, or feelings of speakers, till it has been spoken into the "glorious uncertainty" of a lawsuit. The measures concerning Oregon, recommended by the Executive, have been arraigned as unwise, and as tending to produce a war, and the loss of Oregon as the result of the disasters and defeats of that war. In the conflict of powerful minds, and yet more powerful wills, assuming to speak of the present opinions and intentions of the Executive, things have been said which might lead the casual hearer or reader to infer that more of these opinions and intentions are known than the Executive communications to Congress have disclosed, or that those communications are fairly susceptible of a duplicate meaning.

Now, sir, I propose to speak briefly of our title to and in Oregon, to justify the action on the subject of Oregon both of the party to which I belong, and of the Executive, and to defend the same against the charge of inconsistency and indiscretion, the action (or inaction) of this Congress only excepted.

Weak as well as mischievous minds often delight themselves in finding profundity where all is plain and easy; marvels where all is common; intricacies where all is straight; in dreaming of, and making inferences from, imagined facts; in taking a metaphysical view of subjects to which common sense only is fairly applicable; and in converting ducks and geese, and such like cattle, into "witches, and warlocks, and lang-nebbed things." It is to *that* weakness, or to *this* perverseness, that is to be attributed much of what has been said, written, thought, supposed, believed, or imagined concerning Oregon, our title therein or thereto, and the action of the democratic party and of the Executive in reference thereto. [No one will imagine (of course) that I am speaking of what has been said, &c., in Congress on these subjects. I am speaking of things which have been said, &c., in a very unparliamentary and uncongressional sort of way.]

To attain my object, I need only give a statement of facts. A "plain tale" will "put down" all cavillers.

God gave Oregon, together with the rest of the world, to man. In process of time, a church dignitary resident at Rome came to be recognised by all

Christian nations as God's viceregent on earth, and, as such, authorized to convey and grant portions of the earth, unoccupied by any Christian nation, at his pleasure. He granted Oregon to the king or kingdom of Spain. I will not pause to question or establish the power of this dignity to make the grant. It is sufficient that such power was then recognised by Great Britain, who profited thereby, and took Ireland under a similar grant, and acquiesced in the grant of Oregon to Spain. This estops that power from objecting; for the validity of grants made by this dignity, and his sole right to partition out the world was not contested, until that king of England, who, because of his remarkable piety and exemplary character—he not having been famous for wickedness, except the small vices of adultery and wife-murder—he was a connoisseur in wives—and perhaps a small matter of fratricide—was declared defender of the faith; and, because the Pope would not allow him to kill another wife, he set up a kind of "opposition line" in the religious world, and was declared (or declared himself) head of the church, and assumed the right to make grants of portions of the earth to himself.

Spain was in the occupancy of Oregon, (at Nootka.) A successor of that king of England already designated tortiously, unlawfully, and with force and arms—as the lawyers write it—entered upon this possession of Spain, probably on pretence of a grant to himself and his successors, made by the aforesaid English monarch. Spain "threw herself upon her reserved rights," and, without much ceremony, retook Nootka. This was enough for England. With that common spoiler of God's earth, that universal depredator upon the rights of nations, whose benevolence is proclaimed by itself in tirades against domestic slavery, as it exists directly and avowedly in the United States, and is written in India in the blood of a hundred nations swept from existence—in China in the blood of her sons fighting to defend themselves against the invasion of a poisonous drug which was forced upon them that British commerce might fatten and thrive—in her own home dominion in a code of laws the result of which is slavery, not the less abhorrent to God and man that it is accomplished by fraud, and is indirect in form—and everywhere, in a thousand acts of arrogance, cruelty, and wrong—I say, with that power, a forcible entry, or a fraudulent one, is material out of which to begin a title, to be perfected by diplomacy, or by force, as circumstances may require. A treaty was forced upon Spain, in virtue of which England acquired the acknowledgment of her right to occupy Oregon jointly with Spain. In this attitude of affairs, the United States purchased the right of Spain, and superadded, as to the valley of the Columbia river, the inchoate title resulting from the discovery made by Captain Gray, and the exploration of that valley by Lewis and Clarke, and the expedition under their command. Of course we purchased the territory subject to the incumbrance created by the treaty of joint occupancy made by England with Spain. This incumbrance is more serious as a difficulty in our title than if it were held by a nation less aggressive and arrogant than is England. A somewhat similar incumbrance was recognised, and continued by treaty, on our part, with England, made in 1818, and again in 1827, extended till one party or the other should give a year's notice of its abrogation. Thus the matter

rested until the meeting of the democratic convention at Baltimore, in 1844. In the mean time, British subjects had occupied "all of Oregon," as they had an undoubted right to do under the treaty, as a hunting and trading ground, and position, and had added to their trading establishments detached agricultural positions, which they occupied without question on our part. Our citizens, in great numbers, had also emigrated to Oregon, and made compact agricultural settlements upon the Columbia and Willamette. They had signified their desire that our laws should be extended over them, and looked to us to secure them in their possessions, as well against all others, as against the Indian tribes.

The convention, with an eye as well to national policy and right as to the just claim of our fellow-citizens in Oregon, asserted our title thereto, and called the attention of the people to our rights and interests there, as to a "great American question." The convention asserted that our title to Oregon was clear and unquestionable; and he who was designated by that convention as the democratic candidate for the presidency, having been called to the chair of State, repeated the declaration in a manner for which he and the democratic party are responsible.

Subsequently, in the course of negotiation, the Executive, to secure peace, and having as inducements the extinguishment of the incumbrance upon our Oregon title, and operated upon by the moral force of propositions previously made by his predecessors in the chair of state, offered to divide the territory of Oregon with England by extending the line between the United States and Canada, upon the 49th degree of latitude, to the Pacific ocean. This proposition was refused by the British minister, and then withdrawn by the President.

This action of the convention, and of the President, instead of receiving, at the hands of our political opponents, that liberal consideration which a common American feeling ought to beget, and which invariably, in the British Parliament, upon the discussion of similar external and patriotic questions, analogous to this Oregon question with us, brings the sternest opponents of the administration to the standard of the minister and of the country, has been the subject of much illiberal criticism and unmerited reproach. It has been represented that the convention and the President, in saying that our title is clear and unquestionable, have said too much; for that the same is encumbered by the English right of joint occupancy for commercial purposes, and by the English claim to Oregon; for be it remembered that, upon the footing of the forcible entry upon Spain, of which I have spoken, and of the commercial occupancy, secured by treaty, as well also because of the contiguity of Oregon to the British possessions in America, and other pretences less formidable than these, the British government has set up a claim to Oregon, or part thereof. I understand the claim to be made to all that they can get, by any means of fraud or force which a grasping policy may dictate, without specification of metes and bounds.

Let us examine this criticism of our opponents. Give to the assertion of the convention reiterated by the President, a construction sanctioned by common parlance, and what is its scope? Does the holder of a fee simple, in common parlance, hold his title to be otherwise than clear and unquestionable, because it is incumbered by a right of way, or other privilege? Does he hold it to be other than

clear and unquestionable, because some one, without right, sets up a claim to it? Surely not. And yet a right of way is an incumbrance; and a claim is a *quasi* incumbrance, because it slanders the title.

It was but the other day that, in this discussion the honorable member from Tennessee, [Mr. Brown,] by a strange perversion of the words and meaning of his colleague, [Mr. Johnson,] represented that colleague as having, in some sort, admitted that the declaration of the President as to our title to Oregon, and his act in offering, as an adjustment, a division of the territory upon latitude forty-nine, were inconsistent the one with the other, and that the declaration was made to please the democracy, and the act done to please the whigs. And by a peculiar, and in a small way, somewhat ingenious adaptation of his own sentences, the honorable member [Mr. Brown] contrived to give the endorsement of his own judgment to this sentiment, so grossly imputed to his colleague. Verily this criticism of the honorable member smacks much more of the justices' court than of the equity forum. It savors not of the chancellor. What! James K. Polk shape his acts to gather golden opinions among or of whigs? Why, they did not know him. They asked who he was, and "held their manhood cheap" that perforce their "great embodiment" must soil his nobility by running on the same political course with this same James K. Polk. Does James K. Polk expect a whig pen to write his life and times? Does he, the advocate of State rights, of a strict construction of the constitution, and of trade unshackled by aught but taxation absolutely necessary for revenue, and the firm opponent of bank monopolies, appeal to latitudinarians, federalists, protectionists, and bankites to inscribe his epitaph and write his history? Sir, there is no discrepancy between the declarations and acts of the President. Our title is clear and unquestionable; but it is incumbered, and it has been slandered. Who recognised the incumbrance? An Executive belonging to the same party of which the honorable gentleman from Tennessee [Mr. Brown] is a distinguished member—a party which, in power, has brought upon our country more political evil in twelve years than the "progressive democracy" can remedy in the same period; and which, out of power, occupy their leisure and talents in combining with abolitionists, native Americans, impracticables, and all other fractions, factions, and figments, to defeat popular will and weal. Who slandered our title to Oregon, and taught Great Britain to hope for a division thereof? A President of the same party, who offered an adjustment more favorable to Great Britain than that offered by Mr. Polk. There is no lawyer in this House but knows the fatal effect, upon his cause, of an offer of compromise made by his client publicly in the court-yard. Bad as the proposed compromise may be, he is constrained, generally, to advise his client to repeat the offer. His cause is slandered. So the President found our title to Oregon slandered by the offer of partition made by a precedent whig administration, written down with the pen, and published to the world over the name of the "great embodiment;" and he was constrained to repeat the offer.

Others have hazarded not only indiscreet guesses, but also bold assertions upon the proposition whether the President would now, or will hereafter, accede to an offer for adjustment by a division of the territory upon latitude 49°, in a manner, and to an extent, which relieves me from all considerations of

delicacy in reference to speaking to that point. Sir, American statesmen have, to the best of their ability, eviscerated our republic of its last diplomatic secret on this subject. I also will guess, lest it may be inferred that I have a *personal* motive for being guarded on this subject, as it has been inferred that others have been led by *personal* motives to indulge in surmises and declarations upon this most delicate topic. Prick up your ears, therefore; for the secret, as I understand it, is about to explode.

I am about to guess, solely on my own judgment, and I am pretty sure that I shall guess rightly. *The President does not know what he will do!* Like other wise men, he holds himself up to be controlled by circumstances, and at liberty to carry out the behests of public opinion, as that opinion may be modified by time and circumstances. The last proposition for adjustment *by negotiation* emanated from our side. The next, as I suppose, must come from the British side. Of course the President does not know what it will be. When it comes, he will consider of it. Now, sir, we know that in this country, public opinion is the ruling power. It therefore becomes important to consider what public opinion is *now*, and how it may probably be modified *hereafter*. The American people have a right to resolve to undertake a war in defence of that which they assume, (as they have a right to do,) to be theirs, and they may compromise disputed rights without dishonor. Public opinion, as indicated by the representation in the halls of Congress now, would not justify a war for that portion of Oregon between the parallels of 49° and 54° 40'. The number of those in this and the other hall, who would undertake such a war, is small indeed. A large majority of either branch of Congress would yield up that part of Oregon north of latitude 49°, in extinguishment of the incumbrance and claim held and made by Great Britain, and to secure the blessings of peace. But there is not one member of this or the other house, as I believe, who is not fully prepared and instructed to meet all the hazards and disasters of a war, rather than yield our claim to any portion of Oregon south of latitude 49°. My constituents are of those who are ready to undertake a war "for the whole of Oregon," nor will any vote or act of mine be adverse to their will. They are my employers; I am but their agent. They understand that our right to all of Oregon was secured by the election of Mr. Polk, and the western people generally so understood the matter. I understood "all of Oregon" to be one of the issues of 1844. But I now learn—no doubt truly—that the resolutions of the Baltimore convention were not so understood in other portions of the country, as well in the North and East as in the South. I have no means of knowing whether or not the President would now accede to a proposition from the British side of the same tenor with that heretofore made by himself. But it is certainly true that the British government has a right to suppose that he would do so; and if that government desires peace, and offer for adjustment upon the basis of 49° as a boundary, will, in due time, emanate from it. If such a proposition be made, the President will consider of it. Public opinion, as now developed in this and the other hall, would sustain him in acceding to such a proposition, and would not sustain him in a war for 54° 40', he having it in his power to adjust upon latitude 49°. The British minister has means of taking knowledge of public opinion here; and if he be as wise a man as

he is a gentlemanlike and good looking one, he will foresee, that if his government desires peace, and to secure nearly half of Oregon to itself, the offer heretofore repeatedly made, from our side, must be acceded to by the British side during the existence of the Congress now in session. For this question is a progressive one, as all similar questions are, in a republic. In the next Congress 54 40 men will abound in this House, and by degrees the Senate will be conformed to public opinion as it progresses. My belief is, that the President will look to the halls of Congress as the exponents of public opinion. If he finds there a resolution to fight for 54° 40', he will, I doubt not, take his stand accordingly. If he finds there a disposition to secure peace, by yielding a portion, I suppose he will act accordingly. As the war-making and means-furnishing power is not in his hands, but is vested in Congress, I do not see how he can act otherwise than as I have predicated. If, therefore, while the evidence of public opinion remains as it now is, the President should adjust the matter on the footing of the proposition heretofore repeatedly made, I shall not assume to be either his advocate or his denouncer before my constituents. They are his constituents, as they are mine. I being their sole representative here, and representing them only, my duty is plain. But the constituency of the President is manifold, and of various shades of opinion, and of diverse interests; and there is danger of portions of it, incited by selfish and ambitious men, becoming a little heady and self-willed. My constituents, I know, "like the man," and they are also for 54° 40'. I believe they will construe "Young Hickory" charitably.

Of him, (the President,) in consideration of the difficulties of his position, (aggravated as those difficulties are by president-making instincts and ambitious designs,) all I have to say is, "God send him a safe deliverance." The country will be more just to him than are "the politicians."

Mr. Chairman, the bill under consideration is one of a series of measures recommended by the President in reference to Oregon. Its object is to extend the laws of Iowa Territory over our citizens who have emigrated to Oregon, until the termination of the joint American and British occupancy thereof, and afterwards indefinitely. To terminate that joint occupancy, this House has passed the resolutions of notice. The Senate has occupied many weeks in considering those resolutions; and it is understood that, in a day or two, they will be returned to this House altered, but, as I think, not amended. I am prepared to believe that when a common-sense world shall compare the labor and time expended with the product, it will be ready to exclaim, "*Mons laboritur, productur mus.*" I trust that in some available shape those resolutions will finally pass both houses. But let their fate be what it may, this bill, after being perfected, ought to become a law. If the notice resolutions are to be defeated by the efforts of madness and faction, it is the more necessary that our laws should be extended over our own citizens in Oregon; that emigration to Oregon should be encouraged by a promise of suitable grants of lands to settlers; that to protect emigration to, and emigrants in, Oregon, and to overawe the Indian tribes, forts should be erected, and armed, and manned, and Indian agencies established, on the route to and in Oregon; and that a communication with Oregon be secured by means of a mail-

route. Such will be the effect of this bill with the pending amendments.

But, sir, I am told by the honorable member from Pennsylvania, [Mr. J. R. INGERSOLL,] in his speech to-day, that our government is in duty bound to address a note to the British minister, expressive of its desire to adjust the Oregon controversy. Sir that desire has been expressed in every communication from our government to the British minister. Why repeat it? That an opponent of the present administration should thus cavil, is not so wonderful. But when I hear so-called democrats (they are few in number, thank God!) say the same thing—when I see them cautious as to forms of words, having no more meaning than the words "your very humble servant" at the close of a challenge—when I find them sticking upon, truckling preambles and "parenthetical stickings in" in republican legislation, I acknowledge that my faith sometimes fails me. I shall await further developments before I make up my mind to believe allegations of "punic faith," of a will to "rule or ruin," and of a desire to defeat all legislation upon topics of public expectation, so as thereby to disorganize the democratic party, and, from the elements of political revolution, build up a local party, for the gratification of individual ambition. Sir, I will only believe these things when I am compelled to see them. But I will say now, that if such things are, the American people will see and rebuke them. Those engaged in such projects, if such there be, will, in all time stand, with Milton's devil, "on a bad eminence."

Sir, I have said that my faith sometimes fails me. I will tell you why. I hear gentlemen declare that they will cast their votes here to incur a war in defence of our right to Oregon south of latitude 49°. The British government is authorized to suppose, as I have already shown, that an offer coming from that side, proposing latitude 49° as a boundary, will be accepted by our government. Now, if gentlemen are ready to fight for latitude 49°, and if the British government has a right to suppose, as I have said it has, why the necessity of sticking about forms of words? Why is this bill, or the notice, in a simple and republican form, stripped of all verbosity, likely to be offensive, or to produce war, when the British government has a right to suppose the power in its own hands to end the entire controversy any day, or any hour? The British government has a right to infer that war can be avoided by acceding to an adjustment upon the basis of latitude 49°; and therefore, if it really desires to avoid war, will make that proposition, without waiting for our action, to hunt for cause of offence therein. If the British government, on the contrary, desires war, to rub out old scores, or to grasp Oregon south of latitude 49°, then those gentlemen who stand for latitude 49° are pledged to take part with us in the fight. The result is, that those gentlemen are either short-sighted, or timid, or that their professions of willingness to fight for latitude 49° as a boundary, are insincere, and that, in point of fact they do desire to defeat the American claim to Oregon, to subvert a local interest. We in the West are not addicted to intrigues, and we abhor it in others. We are watching developments. And if we should be forced to believe what we now sometimes fear we shall, perhaps, say but little; but we shall understand ourselves, and our friends. At present we are puzzled. Our western logic gives unfavorable results. We shall consider the logic of actions. We shall see



whether great measures are to be defeated for the sake of a form of words. We are not jealous. We are anxious. And we are resolved not to be humbugged.

Mr. Chairman, I hasten to a conclusion. I have endeavored to answer the charge of a want of coherence between democratic declarations and democratic action, and to demonstrate that it is our duty to carry out the recommendations of the Executive, on the the subject of Oregon. It only remains for me to say, that our action ought to be prompt and speedy. The action of Congress, thus far has been indecisive and hesitating—"like a wounded snake dragging its slow length along." The people are examining the machinery of government to find the hand that locks the wheels. They justify the Executive. His recommendations have been apt and proper. The responsibility rests upon Congress. The Presi-

dent is, this day, more popular in many of our democratic districts than we ourselves are. The people will find the hand that locks our wheels. They will cut it off.

My good constituents will read what I have said, and they will see at once that they may expect one of two events in the course of a year or two, or sooner—an adjustment of the Oregon controversy on the parallel of 49<sup>0</sup>, or a war. If the sentiments of their democratic brethren in the North, East, and South, and of the whig minority, or a part thereof, should constrain the Executive to yield to such an adjustment, they will submit as I believe, though it may be reluctantly. Should war result, the Hoosier banner will flout the sky right saucily, and Hoosier squadrons will take their part in the danger, the loss, the suffering, and the glory.

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